

## § 1910.35

## 29 CFR Ch. XVII (7–1–11 Edition)

*Occupant load* means the total number of persons that may occupy a workplace or portion of a workplace at any one time. The occupant load of a workplace is calculated by dividing the gross floor area of the workplace or portion of a workplace by the occupant load factor for that particular type of workplace occupancy. Information regarding “Occupant load” is located in NFPA 101–2000, Life Safety Code.

*Refuge area* means either:

(1) A space along an exit route that is protected from the effects of fire by separation from other spaces within the building by a barrier with at least a one-hour fire resistance-rating; or

(2) A floor with at least two spaces, separated from each other by smoke-resistant partitions, in a building protected throughout by an automatic sprinkler system that complies with § 1910.159 of this part.

*Self-luminous* means a light source that is illuminated by a self-contained power source (e.g., tritium) and that operates independently from external power sources. Batteries are not acceptable self-contained power sources. The light source is typically contained inside the device.

[67 FR 67961, Nov. 7, 2002]

EFFECTIVE DATE NOTE: At 76 FR 33606, June 8, 2011, § 1910.34 was amended by revising the definition of the term “Occupant load” in paragraph (c), effective July 8, 2011. For the convenience of the user, the revised text is set forth as follows:

### § 1910.34 Coverage and definitions.

\* \* \* \* \*

(c) \* \* \*

*Occupant load* means the total number of persons that may occupy a workplace or portion of a workplace at any one time. The occupant load of a workplace is calculated by dividing the gross floor area of the workplace or portion of the workplace by the occupant load factor for that particular type of workplace occupancy. Information regarding the “Occupant load” is located in NFPA 101–2009, Life Safety Code, and in IFC–2009, International Fire Code (incorporated by reference, see § 1910.6).

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### § 1910.35 Compliance with NFPA 101–2000, Life Safety Code.

An employer who demonstrates compliance with the exit route provisions of NFPA 101–2000, the Life Safety Code, will be deemed to be in compliance with the corresponding requirements in §§ 1910.34, 1910.36, and 1910.37.

[67 FR 67961, Nov. 7, 2002]

EFFECTIVE DATE NOTE: At 76 FR 33606, June 8, 2011, § 1910.35 was revised, effective July 8, 2011. For the convenience of the user, the revised text is set forth as follows:

### § 1910.35 Compliance with alternate exit-route codes.

OSHA will deem an employer demonstrating compliance with the exit-route provisions of NFPA 101, Life Safety Code, 2009 edition, or the exit-route provisions of the International Fire Code, 2009 edition, to be in compliance with the corresponding requirements in §§ 1910.34, 1910.36, and 1910.37 (incorporated by reference, see section § 1910.6).

### § 1910.36 Design and construction requirements for exit routes.

(a) *Basic requirements.* Exit routes must meet the following design and construction requirements:

(1) *An exit route must be permanent.* Each exit route must be a permanent part of the workplace.

(2) *An exit must be separated by fire resistant materials.* Construction materials used to separate an exit from other parts of the workplace must have a one-hour fire resistance-rating if the exit connects three or fewer stories and a two-hour fire resistance-rating if the exit connects four or more stories.

(3) *Openings into an exit must be limited.* An exit is permitted to have only those openings necessary to allow access to the exit from occupied areas of the workplace, or to the exit discharge. An opening into an exit must be protected by a self-closing fire door that remains closed or automatically closes in an emergency upon the sounding of a fire alarm or employee alarm system. Each fire door, including its frame and hardware, must be listed or approved by a nationally recognized testing laboratory. Section 1910.155(c)(3)(iv)(A) of this part defines “listed” and § 1910.7 of this part defines a “nationally recognized testing laboratory.”